

Application No. 10/784,119
Amendment dated March 14, 2006
Response to Office Action dated Dec. 16, 2005
Attorney Docket No. 0388-040307

REMARKS

The Examiner has allowed claims 1 and 4 to 6. The word "wherein" was added to claim 4 in the Amendment dated September 30, 2005 but was inadvertently not underlined.

The Examiner has indicated that claim 9 would be allowable if rewritten to include the limitations of all claims from which it depends.

Claim 7 has been amended to include the limitations of claim 9 and part of the limitations set forth in claim 8.


The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as unpatentable over Livezey U.S. Patent No. 3,470,769 in view JP 2000-220737 A.

It is respectfully submitted that the limitations of original claim 9 are not suggested in either reference. Specifically, JP 2000-220737 A cited to show two motors, as gleaned from the English-language abstract, does not suggest the movement of the second hydraulic motor from neutral to drive based upon the load on the HST output shaft. It is respectfully submitted that claim 7, as amended, is not obvious in view of Livezey and the Japanese reference as it now contains limitations of claim 9 and claim 8.

In view of the foregoing remarks and amendments, it is urged this case is now in condition for allowance.

Respectfully submitted,

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